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June 23, 2004

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Deborah Taylor Tate, Chairman
Tennessee Regulatory Authority
460 James Robertson Pkwy
Nashville, TN 37243-0505

Via Hand Delivery

Attention: Sharla Dillon

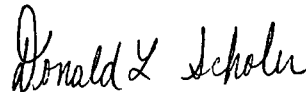
Re: Petition of On-Site Systems, Inc. To Amend Its Certificate of Convenience and
Necessity
Docket No. 03-00329

Petition of Tennessee Wastewater Systems, Inc. To Amend Its Certificate of
Convenience and Necessity
Docket No. 04-00045

Dear Chairman Tate

I have enclosed for filing the original and fourteen copies of the Joint Statement of Issues in this consolidated matter. Please return the extra copy of the Joint Statement of Issues to me stamped filed. Thank you for your assistance in this matter.

Sincerely yours,



DONALD L. SCHOLES

Enclosures

c Charles Pickney, Jr.
Mark Jendrek
Charles B. Welch, Jr.
G. Scott Thomas

BKSJ File No. 04-189

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:)	
)	
PETITION OF ON-SITE SYSTEMS, INC. TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY)	Docket No. 03-00329
)	
)	
and)	
)	
)	
PETITION OF TENNESSEE WASTEWATER SYSTEMS, INC. TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY)	Docket No. 04-00045
)	
)	

JOINT STATEMENT OF ISSUES

Counsel for the Petitioner, Tennessee Wastewater Systems, Inc. (the “Company”) and counsel for the Intervenor, East Sevier County Utility District (the “District”), and the City of Pigeon Forge (the “City”), Tennessee, submit the following issues for the hearing in this docket set for July 13, 2004.


The overarching issue for determination by the Tennessee Regulatory Authority (the “TRA”) is whether the public convenience and necessity requires the grant of the certificates with the proposed territories as sought by the Company in this proceeding pursuant to T.C.A. § 65-4-201. The following issues should be considered in order to reach a conclusion as to the overarching issue of public convenience and necessity in light of the scope of the requested certificates

1. The impact of the TRA’s issuance of the certificates on the City’s authority and ability to provide sewer service within the certificates’ territories, which territories are outside the City’s corporate limits but within its urban growth boundaries in which the City’s planning commission is the regional planning authority?

2. The impact of the TRA's issuance of the proposed certificates on the District's authority to provide sewer service within the proposed certificated territory.
3. The authority of the TRA to design the territory subject to the certificates so as to not prohibit the City from providing sewer service within the City's urban growth boundaries?
4. Does the TRA have the authority to condition the grant of the certificates to insure that the District's statutory authority to provide sewer service within the proposed certificated area is not affected, and to further insure that the grant of such certificates will impose no consequence, nor allow the imposition of any consequence, on the District for the actual provision of such services.
5. Whether the public convenience and necessity requires the grant of the certificates sought by the Company in this proceeding for the entire geographic territory sought in the petitions?

Dated this 23rd day of June, 2004.

Respectfully submitted,



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